

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
HAMMOND DIVISION**

MARCO A. CAMACHO,)	
)	
Petitioner,)	
)	
v.)	Case No. 2:17-CV-160
)	
WARDEN,)	
)	
Respondent.)	

OPINION AND ORDER

Marco A. Camacho, a prisoner without a lawyer, filed a habeas corpus petition challenging his prison disciplinary hearing in MCF 16-12-436 where a Disciplinary Hearing Officer (DHO) at the Miami Correctional Facility found him guilty of possessing a cell phone in violation of A-121 on January 4, 2017. ECF 4 at 1, ECF 12 at 1. As a result, Camacho was sanctioned with the loss of 90 days earned credit time and demoted from Credit Class 1 to Credit Class 2. *Id.*

After Camacho filed his petition, the finding of guilt and sanctions were vacated. ECF 12-2. The Warden has filed a motion to dismiss because this case is now moot. ECF 12. Camacho did not file a response and the time for doing so has passed. See N.D. Ind. L. Cr. R. 47-2. Regardless, the Court cannot overturn the disciplinary proceeding and restore his time because the Indiana Department of Correction has already vacated the proceeding and restored his time. That is to say, Camacho has already won and there is no case left for this Court to decide. Accordingly, this

case must be dismissed. *See Hadley v. Holmes*, 341 F.3d 661, 664 (7th Cir. 2003) (prisoner can challenge prison disciplinary determination in habeas proceeding only when it resulted in a sanction that lengthened the duration of his confinement).

For these reasons, the motion (ECF 12) is **GRANTED** and the case is **DISMISSED**. The clerk is **DIRECTED** to close this case.

DATE: April 4, 2018

/s/RUDY LOZANO
United States District Court